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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)  Applicant(s): Ruffin et al.  Docket No. POU919980157US7					
Application No. 09/386,057	1				
Invention: Method, System and Program Product for Evaluating a Computational Processing  Capacity Migration Platforms					
I hereby certify that this		dment and Amendment Transn (Identify type of correspondence)			
is being facsimile transr	mitted to the United States Patent	and Trademark Office (Fax. I	No. <u>703 872-9306</u>		
on 4/25/2 (Date)					
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·	(Signature)				
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AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Chen et al.				Docket No. POU919980157US7		
Application No. 09/386,057	Filing Date 08/30/1999	Examiner R. Woo	_	omer No. 3558	Group Art Unit 3629	Confirmation No. 9966
Invention: Method, System and Program Product for Evaluating a Computational Processing Platforms						
	COMMISSIONER FOR PATENTS:  Transmitted herewith is an amendment in the above-identified application.					
The fee has been	calculated and is trans	mitted as shown below.				
		CLAIMS AS AM	ENDED			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PRÉV. PAID FOR	NUMBER EX		RATE	ADDITIONAL FEE
TOTAL CLAIMS	14 -	29 =	0	х	\$50.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0	x	\$200.00	\$0.00
Multiple Depender	nt Claims (check if app	licable)				\$0.00
		TOTAL ADDITIONAL	FEE FOR TH	IS AMEN	IDMENT	\$0.00
No additional fee is required for amendment.  ☐ Please charge Deposit Account No. in the amount of ☐ A check in the amount of to cover the filling fee is enclosed. ☐ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0463 ☐ Any additional filing fees required under 37 C.F.R. 1.16. ☐ Any patent application processing fees under 37 CFR 1.17. ☐ Payment by credit card. Form PTO-2038.  WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.  ☐ ATIPLE 25, 2005						
LAWRENCE D. CUTTER, Senior Attorney Reg. No. 28,501 IBM Corporation IP Law Dept. 2455 South Road, M/S P386 Poughkeepsie, NY 12601 (845) 433-1172			the United of class mail in P.O. Box 14	I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on (Date)  Signature of Person Mailing Correspondence		
CC.	cc:			Typed or Printed Name of Person Mailing Correspondence		

AMENDMENT TRANSMITTAL LETTER (Large Entity) Applicant(s): Chen et al.				Docket No. POU919980157US7		
Application No. 09/386,057	Fifing Date 08/30/1999	Examiner Customer No. R. Woo 33558			Group Art Un 3629	it Confirmation No. 9966
Invention: Method, System and Program Product for Evaluating a Computational Processing Platforms						
		COMMISSIONER FO	R PATENTS:		1	
		n the above-identified a mitted as shown below.				
		CLAIMS AS AM	ENDED			
	CLAIMS REMAINING	HIGHEST#	NUMBER EXTRA			ADDITIONAL
	AFTER AMENDMENT	PREV. PAID FOR	CLAIMS PRESENT	$\perp$	PATE	FEE
TOTAL CLAIMS	14 -	29 =	0	×		\$0.00
INDEP. CLAIMS	2 -	3 =	0	×	\$200.00	\$0.00
Multiple Depender	Multiple Dependent Claims (check if applicable)					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT \$0.00						
<ul> <li>No additional fee is required for amendment.</li> <li>□ Please charge Deposit Account No. in the amount of</li> <li>□ A check in the amount of to cover the filing fee is enclosed.</li> <li>☑ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0463</li> <li>☑ Any additional filing fees required under 37 C.F.R. 1.16.</li> <li>☑ Any patent application processing fees under 37 CFR 1.17.</li> <li>□ Payment by credit card. Form PTO-2038.</li> <li>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card Information and authorization on PTO-2038.</li> </ul>						
Dated: APRIL 25, 2005						
LAWRENCE D. CUTTER, Senior Attorney  Reg. No. 28,501  IBM Corporation  IP Law Dept.  2455 South Road, M/S P386  Poughkeepsie, NY 12601  (845) 433-1172			sufficient postage as tirst Commissioner for Patents.			
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#### PATENT

## IBM Docket No. POU919980157US7 09/386,057

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Mail Stop: Amendment, Commissioner fo on <u>Ap</u>	r Patents, P.O. Box 1450, Alexandria, VA 22313-1450 ril <u>25, 2005</u>			
Susan L. Phelps	Lusa Darpe Signature			

### In the United States Patent and Trademark Office

Date: April 25, 2005

In re Application of:

Ruffin et al.

Filed:

08/30/1999

For:

Method, System and Program Product for Evaluating a

Computational Processing Capacity Migration Between Computer

**Platforms** 

Serial Number:

09/386,057

Conf. No.:

9966

Art Unit:

3629

Examiner:

R. Woo

#### **Amendment**

Mail Stop: Amendment

Hon. Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated January 26, 2005, applicants submit this response as discussed in the Remarks section following the Listing of Claims. Please amend the above-referenced application as follows:

# **PATENT IBM Docket No.** POU919980157US7 09/386,057

Amendments to specification: None.

Amendment to claims: See Listing of Claims on page 3 herein.

Amendments to the drawings: None.

Applicants' remarks are found on page 9 of the present submission.